

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-23 are currently pending. Claims 1, 3, 10, 12, and 19-23 have been amended by the present amendment. The changes to the claims are supported by the originally filed specification and do not add new matter.

In the outstanding Office Action, Claims 1-22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Trunick reference (“Keep An Eye On Your Freight”) in view of U.S. Patent No. 5,168,444 to Cukor et al. (hereinafter “the ‘444 patent”), further in view of U.S. Patent No. 6,179,283 to Gerstenberg et al. (hereinafter “the ‘283 patent”) and the Pure PDF reference;¹ and Claim 23 was rejected under 35 U.S.C. § 103(a) as being unpatentable over the Trunick reference and the ‘444 and ‘283 patents, further in view of the Pure PDF reference.

Amended Claim 1 is directed to a physical distribution business management method, comprising: (1) an image data generation step for generating image data of a plurality of types of documents on which a condition for exporting or importing goods is described, the image data generation step generating the image data upon reception of the documents obtained as a result of execution of a physical distribution step; (2) an image data storage step for storing the image data generated in the image data generation step to be associated with the goods to a freight tracking information database, upon generation of the image database; (3) a document data storage step for storing document data described on the document to the freight tracking information database in association with the goods, upon generation of the image data, the document data to be associated with the goods; (4) an identification data storage step for storing identification data that identifies a party concerned with export or

¹ However, Applicants note that the Pure PDF reference does not appear to have been applied to any of Claims 1-22 in the outstanding Office Action.

import of the goods among, in addition to a consignor and a consignee, a number of parties concerned with export or import of the goods; and (5) a data output step, when the party concerned specifies data relating to goods, for obtaining image data or document data of the data stored, in the freight tracking information database, in association with the corresponding specified data in the stored document data, and for outputting the obtained data. Further, amended Claim 1 clarifies that the data output step includes the steps of, based on the decided range of the specified data relating to goods, obtaining image data of an associated one or a plurality of documents, and outputting the image data or the document data to a terminal of the concerned party to thereby display a current status of a transfer of the goods, on the terminal of the concerned party. Further, Claim 1 has been amended to clarify that the data output step further comprises displaying, on a display device of the terminal based on the obtained data, a diagram illustrating the current status of the transfer of the goods, wherein the diagram changes as the current status of the transfer of goods changes, based on the obtained data. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.²

Regarding the rejection of Claim 1 under 35 U.S.C. § 103(a), Applicants note that the Office Action does not specifically address the limitations recited in Claim 1, but lumps all of the limitations recited in Claims 1-22 together, and picks out certain features of the cited references on pages 2-5 of the Office Action. However, it is unclear to Applicants which limitations in which claims are being referred to in the Office Action. In particular, Applicants note that the Office Action never indicates what elements recited in Claim 1 are not taught by the Trunick reference or the '444 patent. Further, as discussed above, the Office Action on pages 2-5 does not refer to the Pure PDF reference in the rejection of Claims 1-22, even though the Pure PDF reference is listed on page 2 of the outstanding

² See, e.g., pages 36 and 37 of the specification.

Office Action. Accordingly, Applicants respectfully submit that the Pure PDF reference was listed in error and that reference is not being relied upon in the rejection of Claims 1-22.

The Trunick reference is an article that describes the current state of freight tracking systems. In particular, the Trunick reference describes systems that can provide information status of a shipment as it moves through a distribution pipeline. The Trunick reference discloses that terminal-based inquiries can be made using particular information related to a shipment and that status information can be displayed. However, as apparently admitted in the outstanding Office Action, the Trunick reference fails to disclose a data outputting step that comprises displaying, on a display device of a terminal based on the obtained data, a diagram illustrating the current status of the transfer of goods, wherein the diagram changes as the current status of the transfer of goods changes, based on the obtained data, as recited in amended Claim 1. Rather, the Trunick reference merely describes generally that various computer systems are available for providing status information regarding shipments to users.

The '444 patent is directed to a system for image processing of documents generated in shipping transactions, the system including remote scanning stations 10 and an image file server 13. The '444 patent discloses that the document images can be captured by scanners at a plurality of stations, or the images of the shipping documents can be reviewed at a plurality of image processing stations 18. Thus, the '444 system allows for the printing of transaction invoices from the image data and a database along with a hard copy of any shipping document images that are to accompany the invoices. However, Applicants respectfully submit that the '444 patent fails to disclose the step of outputting image data or document data to a terminal of a concerned party to thereby display a status of the transfer of goods on a terminal with a concerned party, as recited in amended Claim 1.

Further, Applicants respectfully submit that the '444 patent fails to disclose the step of displaying, on a display device of a terminal based on the obtained data, a diagram

illustrating the current status of the transfer of the goods, wherein the diagram changes as the current status of the transfer of goods changes, based on the obtained data, as recited in amended Claim 1. In this regard, Applicants note that at the bottom of page 4 of the outstanding Office Action, the Examiner asserts that “Cukor shows a diagram illustrating a correspondence between the host computer (person who conducts the procedure) and received by the shipper or consignees (person who receives said procedure) (see column 12, lines 16-30).” However, Applicants note that this limitation is not recited in Claim 1. Moreover, Applicants submit that column 12, lines 16-30 of the ‘444 patent do not disclose the display of a diagram.

The ‘283 patent is directed to a method for controlling an intermediate stacking device of flat shipments, in particular letter-sorting facilities that include a stacking device, a movable stacking cart, a bottom transport belt, a separating device, and a shipment sensor. In particular, ‘283 Figure 2 is an illustration of a state diagram of the process, showing possible states for the process and state transitions from one process to the other. The table in column 4 of the ‘283 patent discloses the conditions that cause the transitions from one state to another. However, Applicants note that *the ‘283 patent fails to disclose that the diagram shown in Figure 2 is a diagram that is ever displayed*. Rather, it appears that the Office Action is relying on Figure 2 merely because it is a figure that has arrows.

However, Applicants respectfully submit that the ‘283 patent fails to disclose that, as part of a physical distribution business measurement, a data output step includes displaying, on a display device of a terminal based on obtained data, a diagram illustrating the current status of a transfer of goods, wherein the diagram changes as the current status of the transfer of goods changes, based on the obtained data, as recited in amended Claim 1. First, the ‘283 patent does not disclose that the diagram in Figure 2 ever changes. Moreover, the diagram in Figure 2 does not illustrate a current status of anything. The process described by the ‘283

patent could be in any of the states shown in Figure 2, and it is not possible to discern by looking at Figure 2 what state the process is in. Further, and more importantly, the '283 patent does not disclose that the diagram in Figure 2 is displayed. Rather, it is merely a state transition diagram used to explain the states that the method for controlling a stacking device could be in, and how it may transition from one state to the next. ***There is no teaching or suggestion in the '283 patent that such a diagram could be displayed (to a user), that such a diagram could illustrate a current status of a transfer of goods, and that such a diagram would change as the status of the transfer of goods changes,*** as recited in Claim 1.

Thus, no matter how the teachings of the Trunick reference, the '444 patent, and the '283 patent are combined, the combination does not teach or suggest a data output step that comprises displaying on a display device of the terminal based on the obtained data, a diagram illustrating the current status of the transfer of the goods, wherein the diagram changes as the current status of the transfer of goods changes, based on the obtained data, as recited in Claim 1. In this regard, Applicants note that ***none of the cited references disclose displaying a diagram, let alone a diagram relating to a current status of a transfer of goods.*** Accordingly, Applicants respectfully submit that the rejection of Claim 1 is rendered moot by the present amendment to Claim 1.

Applicants respectfully submit that the rejection of Claim 23 is rendered moot by the present amendment to Claim 23. Claim 23, which depends from Claim 1, has been amended to clarify the data output step comprises displaying a plurality of items representing corresponding steps in the transfer of the goods, and displaying an arrow from a first item to a second item in the diagram only when the current status of the transfer of the goods indicates that the step corresponding to the second item has been completed. No new matter has been added. Applicants respectfully submit that Claim 23 is not disclosed by any proper combination of the cited references.

Further, Applicants note that Claim 3 has been amended to clarify that the data output step comprises displaying an arrow on the diagram to indicate that the current status of the transfer of the goods has changed. Applicants respectfully submit that none of the cited references disclose displaying an arrow to indicate that a current status of the transfer of goods has changed, as recited in Claim 3.

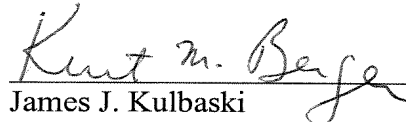
Claims 10 and 19-22 recite limitations analogous to the limitations recited in Claim 1 and have been amended in a manner analogous to the amendments to Claim 1. Thus, the rejections of Claims 10 and 19-22 are rendered moot for the reasons stated above.

Thus, it is respectfully submitted that independent Claims 1, 10, and 19-22 (and all associated dependent claims) patentably define over any proper combination of the Trunick reference, the '444 patent, the '283 patent, and the Pure PDF reference.

Consequently, in view of the present amendment and in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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